

**CITY OF SALINA, KANSAS**  
**REGULAR MEETING OF THE BOARD OF COMMISSIONERS**  
**December 11, 2006**  
4:00 p.m.

The City Commission convened at 2:30 p.m. in a Study Session on Community Art and Design. The Regular Meeting of the Board of Commissioners was called to order at 4:00 p.m. in Room 107, City-County Building. A roll call was taken followed by the Pledge of Allegiance and a moment of silence.

There were present:

Mayor Donnie D. Marrs, Chairman presiding  
Commissioner Deborah P. Divine  
Commissioner Alan E. Jilka  
Commissioner R. Abner Perney  
Commissioner John K. Vanier II

comprising a quorum of the Board, also present:

Jason A. Gage, City Manager  
Greg Bengtson, City Attorney  
Lieu Ann Elsey, City Clerk

Absent: None

**CITIZEN FORUM**

None.

**AWARDS - PROCLAMATIONS**

(4.1) Resolution No. 06-6305 expressing gratitude and appreciation to Marsha R. Miller for her employment with the City of Salina from May 16, 1995 to December 1, 2006.

(4.2) Resolution No. 06-6306 expressing gratitude and appreciation to Judith A. Henkle for her employment with the City of Salina from March 24, 1998 to December 15, 2006.

(4.3) Resolution No. 06-6307 expressing gratitude and appreciation to Jerre Ann Morgan for her employment with the City of Salina from May 1, 1995 to December 15, 2006.

(4.4) Resolution No. 06-6332 expressing gratitude and appreciation to Pamela J. Mosher for her employment with the City of Salina from January 28, 1980 to December 15, 2006.

Mayor Marrs expressed his appreciation to the retiring employees.

06-7383 Moved by Commissioner Divine, seconded by Commissioner Vanier, to adopt Resolution Numbers 06-6305, 06-6306, 06-6307, and 06-6332. Aye: (5). Nay: (0). Motion carried.

**PUBLIC HEARINGS AND ITEMS SCHEDULED FOR A CERTAIN TIME**

None.

## **CONSENT AGENDA**

- (6.1) Approve the minutes of November 27, 2006.
- (6.2) Resolution No. 06-6336 authorizing an agreement for life insurance services with Principal Financial Group.
- (6.3) Adoption of the 2007 Special Parks and Recreation Fund Capital Improvement Program.
- (6.4) Adoption of the 2007 Capital Improvements sub-plans and authorize staff to implement the plans and solicit bids and proposals.
- (6.5) Award of contract for the Liberty Addition No. 2, Phase II Infrastructure Improvement, Project No. 06-1607 to APAC-Kansas, Inc. in the amount of \$612,454.55.

Commissioner Jilka requested that Item 6.4 be pulled from the consent agenda.

06-7384 Moved by Commissioner Perney, seconded by Commissioner Vanier, to approve Items 6.1 through 6.3 and 6.5 of the consent agenda as presented. Aye: (5). Nay: (0). Motion carried.

Steve Snyder, Director of Parks and Recreation, Jason Gage, City Manager, Rod Franz, Director of Finance and Administration, and Shawn O'Leary, Director of Public Works responded to Commissioner Jilka's questions regarding the noise isolators for the Community Theatre, Downtown Trash Can Replacement project, online water payment software, sidewalk improvements on Markley Road and the stormwater improvements.

06-7385 Moved by Commissioner Vanier, seconded by Commissioner Divine, to approve Item 6.4. Aye: (5). Nay: (0). Motion carried.

## **DEVELOPMENT BUSINESS**

- (7.1) First reading Ordinance No. 06-10366 amending Chapter 42 of the Salina Code by adding Section 42-420 through 42-420.8 pertaining to the North Ohio Street Gateway Overlay District.

Dean Andrew, Director of Planning and Community Development, explained the proposed district and the Planning Commission's recommendation.

A discussion followed between Commissioner Perney, Mayor Marrs, Mr. Andrew, and City Manager Jason Gage regarding the bulk regulations, setbacks, and residential lots.

Mr. Andrew also responded to Commissioner Perney regarding the existing signage and Mayor Marrs' question regarding the overlay boundaries.

A discussion followed between Commissioner Divine, Mr. Andrew, Mr. Gage and Commissioner Perney regarding Sec.42-420.6(3)(d) of the proposed ordinance.

06-7386 Moved by Commissioner Divine, seconded by Commissioner Perney, to pass Ordinance No. 06-10366 on first reading with amendments to the ordinance regarding the bulk regulations and setbacks and clarification of the Sec. 42-420.6(3)(d). Aye: (4). Nay: (1) Vanier. Motion carried.

## ADMINISTRATION

(8.1) Second reading Ordinance No. 06-10362 requesting a change in zoning district classification from I-1 (Light Industrial) and C-3 (Shopping Center) to I-2 (Light Industrial) for property located at 1331-1341 Armory Road, legally described as Lots 5 & 6 in Block D of the Park West Addition.

Mayor Marrs noted that Ordinance No. 06-10362 was passed on first reading on November 27, 2006 and since that time no comments have been received.

06-7387 Moved by Commissioner Divine, seconded by Commissioner Vanier, to adopt Ordinance No. 06-10362 on second reading. A roll call vote was taken. Aye: (5) Divine, Jilka, Perney, Vanier, Marrs. Nay: (0). Motion carried.

(8.2) Second reading Ordinance No. 06-10363 requesting a change in zoning district classification from R-2 (Multi-Family Residential) to PC-2 (Planned Neighborhood Shopping) for property located at 1017 S. Santa Fe Avenue, legally described as Lot 12 on Santa Fe in the Grounds of KWU.

Mayor Marrs noted that Ordinance No. 06-10363 was passed on first reading on November 27, 2006 and since that time no comments have been received.

06-7388 Moved by Commissioner Vanier, seconded by Commissioner Perney, to adopt Ordinance No. 06-10363 on second reading. A roll call vote was taken. Aye: (5) Divine, Jilka, Perney, Vanier, Marrs. Nay: (0). Motion carried.

(8.3) First reading Ordinance No. 06-10364 granting AT&T a six month extension of the City's current telecommunications franchise.

Jason Gage, City Manager, explained the extension agreement.

06-7389 Moved by Commissioner Vanier, seconded by Commissioner Divine, to pass Ordinance No. 06-10364 on first reading. Aye: (5). Nay: (0). Motion carried.

(8.4) First reading Ordinance No. 06-10365 amending Sec. 8-37 of the Salina Code by amending the International Residential Code regarding building permits.

Mike Roberts, Building Official, explained the request from the Kansas Department of Health and Environment and the proposed local amendment. Mr. Roberts and City Manager Jason Gage then responded to Mayor Marrs' questions regarding the submittal of the disclosure form and issuance of the building permit.

A discussion followed between Mayor Marrs, Commissioner Vanier, Mr. Roberts and Mr. Gage regarding the city's lead safe practices.

Commissioner Jilka noted that the proposed amendment was passed by the Building Advisory Board; therefore, supported the amendment.

06-7390 Moved by Commissioner Jilka, seconded by Commissioner Perney, to pass Ordinance No. 06-10365 on first reading. Aye: (3). Nay: (2) Vanier, Marrs. Motion carried.

(8.5) Resolution No. 06-6334 expressing the intent to adopt a resolution of advisability and authorizing construction of water main improvements.

Greg Bengtson, City Attorney, explained the resolution.

06-7391 Moved by Commissioner Divine, second by Commissioner Vanier, to adopt Resolution No. 06-6334. Aye: (5). Nay: (0). Motion carried.

(8.6) Resolution No. 06-6335 adopting the Position Classification and Salary Schedule effective January 1, 2007.

Rod Franz, Director of Finance and Administration, explained the pay plan adjustment and anticipated completion date of the pay plan review.

06-7392 Moved by Commissioner Vanier, second by Commissioner Perney, to adopt Resolution No. 06-6335. Aye: (5). Nay: (0). Motion carried.

(8.7) Authorize temporary funding for the completion of the Salina Soccer Complex.

Rod Franz, Director of Finance and Administration, explained the project and funding. Mr. Franz continued to explain that the foundation funds are scheduled to be distributed in January 2007 and the temporary funding would ensure sufficient cash flow.

06-7393 Moved by Commissioner Divine, seconded by Commissioner Perney, to authorize use of General Fund resources to complete the Salina Soccer Complex and to reimburse the General Fund with the foundation donation. Aye: (5). Nay: (0). Motion carried.

(8.8) Consider requests for Human Services and Economic Development Sales Tax Funding.

Rod Franz, Director of Finance and Administration, explained the requests from Salina Downtown of \$15,000 for the Exterior Façade program, Salina Regional Health Center of \$25,912 for the SANE/SART program, and OCK of \$31,636 for purchasing of two high rise vans and two minivans for the public transportation program. Mr. Franz continued to explain the funding of the requests.

Phyll Klima, Salina Downtown, Inc. Executive Director, responded to Commissioner Perney's question regarding the remaining funds in the grant awarded in 2006. Ms. Klima clarified that all 2006 funds have been awarded.

Mayor Marrs commented on the request and the programs being an asset to the community.

06-7394 Moved by Commissioner Divine, seconded by Commissioner Perney, to award the grants as requested.

Commissioner Jilka asked if Commissioner Divine would amend her motion, so they could be acted on separately.

Commissioner Divine did not wish to amend her motion.

Mayor Marrs called the question. Aye: (5). Nay: (0). Motion carried.

(8.9) Award of contract for the 2006 Downtown Traffic Signal Improvements, Project No. 05-1547.

Shawn O'Leary, Director of Public Works, explained the project, bids received, and project funding. Mr. O'Leary then responded to Mayor Marrs' question regarding total project cost.

Mr. O'Leary responded to Commissioner Vanier's request to summarize the improvements that are included in the project.

Mayor Marrs requested that Mr. O'Leary and City Manager Jason Gage explain video detection.

06-7395 Moved by Commissioner Divine, seconded by Commissioner Jilka, to award the contract for the 2006 Downtown Traffic Signal Improvements, Project No. 05-1547 to Kayton Electric, Inc. in the amount of \$692,042.26. Aye: (5). Nay: (0). Motion carried.

(8.10) Resolution No. 06-6338 authorizing a three year contract for the transportation and disposal of materials with Univar USA, Inc.

Michael Fraser, Director of General Services, explained the quotes that were received, the agreement and funding.

06-7396 Moved by Commissioner Jilka, seconded by Commissioner Perney, to adopt Resolution No. 06-6338. Aye: (5). Nay: (0). Motion carried.

(8.11) Acquisition of electronic scoreboard, equipment and related advertising displays.

Keith Rawlings, Bicentennial Center Director, explained the scoreboard improvements project, project financing, and potential sponsorship.

Mr. Rawlings responded to Commissioner Divine's question if the lease purchase option was included with the original contract with Daktronics and the compatibility of the equipment.

A discussion followed between Commissioner Perney and Mr. Rawlings regarding the funding of the purchases.

Mr. Rawlings then responded to Mayor Marrs' questions regarding the term of the lease agreement and maintenance of the equipment.

06-7397

Moved by Commissioner Divine, seconded by Commissioner Perney, to authorize staff to proceed with a lease-purchase with Daktronics and authorize staff to prepare specifications for the remaining signage required to complete the overall project and obtain bids. Aye: (5). Nay: (0). Motion carried.

(8.12) Authorization to proceed with the Broadway Boulevard/Hageman Avenue Intersection Improvements (KDOT Project No. 85 U-2109-01, Project No. 05-1538).

Shawn O'Leary, Director of Public Works, explained the project, citizen concerns, adjustments made to the original plan, staff's recommendation of conducting a pedestrian study, and the on-street parking on Otto Avenue.

Mr. O'Leary responded to Commissioner Divine's question on how long construction would last.

A discussion followed between Mayor Marris and Mr. O'Leary regarding access on the east side of Broadway, curb and guttering replacement, and the raised median.

Della Tomanek, 349 Maple, commented on the removal the bridge, accidents that have occurred in the area, and the possibility of allowing access to Hageman on the northeast side.

A discussion then followed between Ms. Tomanek, Mr. O'Leary, and Mayor Marris regarding submittal of the final plans.

Larry Hurlbut, 1809 Page Avenue, commented on access to his property located at 1906 Broadway. A discussion then followed between Commissioner Perney and Mr. Hurlbut regarding access to his property.

Randy Veard, owner of property located at Broadway and Hageman (no address given), felt that the removal of the pedestrian bridge would eliminate the number of accidents. He also commented on the reduced amount of frontage on his property and the possibility of purchasing the surplus property.

Mr. O'Leary commented on the proposed access to his property.

Keith Olson, 1909 Hageman, expressed concerns regarding the access to Broadway and the raised median.

Merlin Stephens, 340 Maple Avenue, thanked the Commission, City and KDOT staff for their time meeting with them. Mr. Stephens commented on the accident counts used, tickets issued, the pedestrian traffic and the traffic congestion of Ninth Street and Otto Avenue. Mr. Stephens recommended only removing the pedestrian bridge and the placement of a traffic light if necessary.

Rosie Leek, property owner of business on Cloud Street (no address giving), recommended removing the pedestrian bridge.

Mr. O'Leary commented on the installation of the raised median and maximizing the safety of the traffic.

A discussion followed between Commissioner Perney and Tom Miles, Wilson & Company, on the possibility of making the Hagemen-Smith intersection the same as the Willis-Hagemen intersection, accidents that have occurred at this location, and an estimated cost of removing the pedestrian bridge.

Additional discussions followed between Mr. Miles and Commissioner Jilka regarding the cul-de-sac and access.

Discussion followed between Commissioner Perney, Mayor Marrs, and Mr. O'Leary regarding placement of a pedestrian crosswalk, and traffic signalization.

Mayor Marrs commented that this project affects everyone that travels through the location and not only the surrounding property owners. Mayor Marrs expressed his support for the new design of the project.

Commissioner Divine commented that they would not be able to make everyone completely satisfied, but felt that it was a solution to the present problem. She also encouraged additional traffic and pedestrian studies for the area and the possibility of prohibiting on-street parking on Otto Avenue.

06-7397 Moved by Commissioner Divine, seconded by Commissioner Marrs to approve the revised design options and authorize staff to resume the project schedule including a KDOT bid letting in April 2007.

Commissioner Jilka felt that this was a solution and dealt with the possible development of the property to the east and would support the project.

Commissioner Perney felt that the public forum should have been conducted during the preliminary steps of the project so issues and concerns could have been dealt with earlier.

Commissioner Vanier felt that this area needed to be changed, but was uncomfortable with the future four lane intersection to the south. Therefore, he could not support the motion.

Mayor Marrs called the question. Aye: (4). Nay: (1) Vanier. Motion carried.

(8.13) Request for executive session (personnel).

06-7398 Moved by Commissioner Jilka, seconded by Commissioner Perney, to recess into executive session for 30 minutes in order to discuss with the City Attorney a matter subject to the attorney-client privilege for the reason that public discussion could waive the privilege and jeopardize the City's position in the matter and discuss a matter involving non-elected city personnel for the reason that public discussion of the matter would violate the privacy rights of the non-elected city personnel involved; and reconvene at 6:35 p.m. Aye: (5). Nay: (0). Motion carried.

The City Commission recessed into executive session at 6:05 p.m. and reconvened at 6:50 p.m. No action taken.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

06-7399            Moved by Commissioner Perney, seconded by Commissioner Vanier, that the Regular Meeting of the Board of Commissioners be adjourned. Aye: (5). Nay: (0). Motion carried. The meeting adjourned at 6:50 p.m.

Donnie D. Marrs, Mayor

**[SEAL]**  
**ATTEST:**

Lieu Ann Elsey, CMC, City Clerk